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GOVERNOR

STATE OF MICHIGAN
NATURAL RESOURCES COMMISSION
LANSING



RESUBMITTED: June 16, 2003
July 14, 2003
REVISED: August 7, 2003

Memorandum to the Natural Resources Commission:

SUBJECT: Waterfowl and Other Migratory Bird Hunting Regulations for 2003-2004

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, authorizes the Director and the Commission to issue orders to manage wild animals in this state.

Discussion and Background:

Establishment and approval of hunting seasons for waterfowl and other migratory birds is controlled by the U.S. Fish and Wildlife Service (USFWS). Criteria for selection of the primary seasons was provided by the USFWS in late July. New data about waterfowl populations and Michigan hunter preferences for seasons has also recently become available. Use of this information has resulted in substantial changes from the draft orders submitted in June and July.

Population and Season Conditions:

The Michigan goose harvest consists of primarily resident giant Canada geese and migrant Canada geese from the Mississippi Valley Population (MVP). Migrant geese from the Southern James Bay Population and the Tall Grass Prairie Population also make up a minor component of the harvest. The MVP is managed by the USFWS and Mississippi Flyway states using an annual quota system. Spring surveys this year found migrant and resident goose populations near population goals. Goose hunting opportunity will be expanded for MVP geese with more season days. However, the number of Michigan goose hunters has grown in recent years, and there is incidental take of migrant geese during special early and late seasons used to control resident geese. Therefore, the regular goose season must be carefully timed to prevent overharvest of migrant geese (i.e., exceeding allotted quotas).

Duck season length and daily limits are based largely on mallard population status and breeding habitat conditions in the mid-continent prairie and parkland region. The relatively high number of mid-continent mallards and Canadian ponds counted this spring resulted in approval for a 60-day duck season like 2002. However, only about 20 percent of Michigan's duck harvest originates from the mid-continent, with the remainder coming from primarily Michigan and eastern Canada.

In spring 2003, continental breeding populations for most duck species were near long-term population objectives; exceptions included canvasback, black ducks, lesser scaup, and pintails. Forecasts for duck production on the mid-continent prairie (the location most commonly used to index continental duck population trends) are fair to good this year. Most of Michigan's mallard and wood duck harvest is locally-produced and other species important to Michigan hunters, such as green-winged teal, black ducks, buffleheads, and ring-necked ducks, are produced primarily in forested areas of eastern Canada.

The Michigan breeding waterfowl survey reveals a decline in Michigan's mallards each year since 1998, with nearly a 50 percent decline in mallards between 1998 and 2003 (580,000 to 294,000). Michigan and northern Ontario have less productive, but more stable, waterfowl habitat conditions than the mid-continent prairie. Production forecasts for the Great Lakes region are mixed.

Season Goals:

Working with waterfowl hunters, the Department of Natural Resources (DNR) has identified the following goals for waterfowl regulations in Michigan:

- Maximize waterfowl hunting opportunity, especially for youths, while assuring conservation of the resource by:
 - ensuring season dates encompass maximum bird numbers and abundant species; and
 - maximizing statewide hunter days before winter freeze-up.
- Distribute hunting effort to take advantage of waterfowl resources and reduce hunter crowding.
- Simplify regulations where possible.

We are expanding the use of USFWS, DNR, and National Oceanographic and Atmospheric Administration (NOAA) data to develop recommendations that better achieve these goals. Key information and analyses include:

- Hunter satisfaction/desires (DNR waterfowl hunter opinion survey)
- Migration timing (DNR fall population surveys)
- Harvest timing (USFWS and DNR weekly harvest data)
- Hunter participation (DNR area use data)
- Hunter success (harvest/trip, DNR area harvest data)
- Weather (freeze-up at various locations, NOAA data)
- Harvest composition (species occurrence, USFWS weekly harvest data).

Season Options:

Geese – The MVP quota for Michigan was established at the July Mississippi Flyway Council (MFC) meeting. The regular goose season framework must assure the MVP harvest quota is not exceeded while maximizing the harvest of local giant Canada geese. The earlier regular-season structure used in recent years has achieved this goal, with the added bonus of targeting molt-migrant giants which typically arrive in Michigan (from Hudson Bay) between September 10-20. Molt migrants originating from urban areas are most vulnerable to hunting during this return flight in mid-September.

We requested from the MFC a regular season opener as early as September 16, 2003, but used September 20 to increase overlap with the duck season. This overlap was very desirable according to a recently completed waterfowl hunter opinion survey. The regular season was expanded into the duck season, with a two-bird daily limit. The number of days of duck and goose season overlap varies depending on which duck season option is selected by the NRC and the region of the state (MVP vs. SJBP goose zone). Hunting rules in the two eastern goose management units (GMUs) have similar dates

and quotas as last year, while GMUs on the west side have more season days and higher quotas. The season recommendations for blue, snow, Ross', white-fronted geese, and brant are similar to last year. Maintaining the special late Canada goose season similar to recent years would result in a season from January 3 to February 1, with a daily limit of five.

Ducks – The USFWS offered a 60-day season and 6-duck daily limit based on an adaptive harvest management strategy using prairie pond numbers and mid-continent mallard populations as a guide to season length and daily duck limit. Wildlife Division developed the following duck season options based on feedback from the Citizens Waterfowl Advisory Committee (Option 1) and the Michigan waterfowl hunter opinion survey (Option 2). Option 3 attempts to use features from both CWAC and the waterfowl hunter opinion survey that clearly showed the majority of Michigan waterfowl hunters want an overlap in the duck and goose season. Option 2 provides the most overlap of these seasons.

The USFWS has limited the season for canvasback and pintail ducks to 30 days within the overall 60-day duck season. The CWAC requested a pintail season the first 30 days of the regular duck season and the canvasback season to be the last 30 days of the season; see options 1 and 3 in Wildlife Conservation Order. Option 2 has a concurrent pintail and canvasback season, open the first 30 days of the duck season. This is when most waterfowlers hunt and when most of the harvest for these species occurs according to USFWS data.

- **Option 1** - North Zone – September 27 to November 25
Middle Zone – October 4 to November 30 and January 3-4
South Zone – October 11 to December 7 and January 3-4
- **Option 2** - North/Middle Zones – September 27 to November 25
South Zone – October 4 to November 30 and January 3-4
- **Option 3** - North Zone – October 4 to December 2
Middle Zone – October 4 to November 30 and January 3-4
South Zone – October 11 to December 7 and January 3-4

The daily duck limit offered by the USFWS is six. There will be additional restrictions on some species that are heavily harvested (e.g., mallards) or whose populations are experiencing decline (e.g., canvasbacks, pintails, and scaup). The USFWS may retain the hen mallard daily limit at two. However, the Department is recommending that the hen mallard limit in Michigan remain at one, as the Michigan mallard population is well below average. A one-hen restriction will provide additional protection to Great Lakes mallards which have harvest rates over twice that of mid-continent mallards. We expect waterfowl shooting hours to be one-half hour before sunrise to sunset, the same as last year.

The USFWS has again offered a two-day special youth waterfowl hunt this year, which is scheduled for the third weekend in September (20 and 21). The Department proposes that the Director be delegated authority to make adjustments in season dates, season lengths, daily limits, and GMU quotas to keep waterfowl harvests within Federal guidelines for the Flyway. The draft Federal guidelines were available in August, and final guidelines will be posted in September.

Other Rule Changes:

The falconry season for migratory birds was adjusted to accommodate Michigan falconers (more duck hunting days in December and January) and to help simplify the complex Federal falconry-season setting process.

In 2001, the 19-member Michigan CWAC requested the DNR ban the use of motion-wing decoys in Michigan. Concerns were expressed over both biological impacts (i.e., harvest rates, reducing duck numbers, and causing shorter seasons) and hunter ethics. The ethical concern was related to “fair chase” and waterfowl hunting tradition. An effective waterfowl hunter normally is skilled in calling, hide (blind preparation), and decoy placement. The CWAC believed motion-wing decoy technology would substantially reduce the need for traditional waterfowl hunting skills. The Wildlife Division is currently developing an issue paper on motion-wing decoys which will include research findings, when available from other states, and an analysis of hunter use and opinions in Michigan.

Recommendation:

This order was submitted for information only at the July 2003 meeting of the Natural Resources Commission. This item appeared in the August 4, 2003, Calendar and is eligible for approval on August 15, 2003. We are now recommending that it be acted upon at this meeting.

Rebecca A. Humphries, Chief
Wildlife Division

Richard C. Asher, Chief
Law Enforcement Division

George E. Burgoyne, Jr.
Resource Management Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Natural Resources Commission has authority.

K. L. Cool
Director

WILDLIFE CONSERVATION ORDER

Amendment No. 13 of 2003

Under the authority of sections 40107 and 40113a, Act No. 451 of the Public Acts of 1994, as amended, being sections 324.40107 and 324.40113a of the Michigan Compiled Laws, the Natural Resources Commission and the Director of the Department of Natural Resources ordered that effective September 1, 2003, the following sections of the Wildlife Conservation Order shall read as follows:

3.415 Migratory birds; possession limit defined; open seasons.

Sec. 3.415. The migratory bird possession limit shall be twice the daily limit except that the possession limit for blue, snow, and Ross' geese shall be three times the daily limit. The migratory bird hunting open seasons shall be as follows:

Season and Species	Zone or Management Unit	Open Season
Ducks	North Zone	September 27 to November 25
	Middle Zone	October 4 to November 30 and January 3 and 4
	South Zone	October 11 to December 7 and January 3 and 4
Pintails	North Zone	September 27 to October 26
	Middle Zone	October 4 to November 2
	South Zone	October 11 to November 9
Canvasbacks	North Zone	October 27 to November 25
	Middle Zone	November 3 to November 30 and January 3 and 4
	South Zone	November 10 to December 7 and January 3 and 4
Merganser		Same dates as ducks in the respective zones.
Coots and Moorhens		Same dates as ducks in the respective zones.
Canada Goose (regular season)	North Zone	September 20 to November 6 and December 13 to December 19
	Middle Zone	September 20 to November 6 and December 13 to December 19
	South Zone – Southern James Bay Population Unit	September 20 to October 12 and December 13 to December 19

	South Zone – Mississippi Valley Population Unit	September 20 to November 6 and December 13 to December 19
	Tuscola/Huron GMU	October 11 to November 29 (or quota)
	Saginaw County GMU	October 11 to November 29 (or quota)
	Allegan County GMU	November 1 to November 9 and December 13 to January 22, 2004 (or quota)
	Muskegon W.W. GMU	October 16 to November 14 and December 2 to December 21 (or quota)
Canada Goose (special late season)	Southern Michigan Goose Management Unit as defined in section 12.700 of this order.	January 3 to February 1, 2004
Brant, Snow, White-fronted, and Ross' Geese	Statewide	September 20 to December 7

3.418 Goose management units, harvest quotas; department's wildlife chief to close season.

Sec. 3.418. (1) The following goose management units, described in sections 12.701 to 12.705 of this order, shall be open to goose hunting until the open seasons stipulated in section 3.415 of this order expire, or until the wildlife division chief determines that the following listed quota of Canada geese has been harvested:

- (a) Saginaw county goose management unit - quota of 2,000 Canada geese.
- (b) Allegan county goose management unit - quota of 3,000 Canada geese.
- (c) Muskegon wastewater goose management unit – the quota of 1,000 Canada geese.
- (d) Tuscola/Huron goose management unit - quota of 750 Canada geese.

(2) When the wildlife division chief determines that the quota of Canada geese for a management unit listed in this section has been harvested, the chief shall issue an interim order to close the goose hunting season in that unit.

3.422 Migratory birds, falconry, seasons; daily limit, possession limit.

Sec. 3.422. (1) The open season for taking migratory game birds by falconry shall be as follows:

Species	Open Seasons
Common snipe; Woodcock; Virginia and sora rails	The open season for these species shall be the same dates as the firearm seasons in the respective zones for these species
Geese	The open season for taking these species shall be the same dates as the firearm seasons in the respective zones and goose management units
Ducks; mergansers; coots and moorhens	The open season for these species shall be October 10 to January 10 statewide, plus March 1 to March 8 in the South Zone

(2) The daily limit for migratory game birds taken by falconry shall be 3 birds combined, and the possession limit shall be 6 birds combined.

Issued this 15th day of August, 2003.

Approved as to matters over which the Natural Resources Commission has authority.

Keith J. Charters, Chairman
Natural Resources Commission

Approved as to matters over which the Director has authority.

K. L. Cool
Director